

DIVISIONAL CONTINUATION APPLICATION TITIAL FORM UNDER RULE 1.53(b) (former Rule 1.60)

DOCKET NUMBER HUI-027CPDV2	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:	PRIOR APPLICATION SERIAL NUMBER: 09/086,010	PRIOR APPLICATION FILING DATE: MAY 27, 1998
CLASS:	SUBCLASS:	EXAMINER: J. WOITACH	ART UNIT: 1632

COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, DC 20231

EL831966930US

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: June 22, 2001

Mailing Label Number: EL 831966930 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Larry Taylor

Name of Person Mailing Paper

Signature of Person Mailing Paper

TECH CENTER 1600/2900

SEP 25 2001

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Dear Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/086,010 filed on May 27, 1998, of Laurie H. Glimcher and John Douhan III entitled Human c-Maf Compositions and Methods of Use Thereof.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:

- ☒ 55 page(s) of specification
☒ 3 page(s) of claims
☒ 1 page(s) of abstract
☒ 3 sheet(s) of drawing
☒ 12 page(s) of declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/086,010 as originally filed on May 27, 1998.

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	6	MINUS	** 20	= 0
INDEP.	3	MINUS	*** 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY

RATE	FEE
x 9 =	\$0.00
x 40 =	\$ 0.00
-135 =	5.00
BASIC FEE	\$355.00
TOTAL	\$355.00

OR

OTHER THAN A SMALL ENTITY

RATE	FEE
x 18 =	\$0.00
x 80 =	\$0.00
- 270 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$0.00

OR

4. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this communication. Credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. ☐ A check in the amount of (no filing fee included) is enclosed for payment of the filing fee.
6. ☒ Cancel in this application original claims 1-26 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
8. ☒ Amend the specification by inserting before the first line the sentences: "This application is a divisional application of serial no. 09/086,010 filed on May 27, 1998, pending. The contents of all of the aforementioned application(s) are hereby incorporated by reference."
9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10. ☒ Transfer the drawings from the pending prior application to this application.
11. ☐ Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
☐ The certified copy has been filed in prior application serial no. _____ filed on _____.
☐ The certified copy will follow.
12. ☒ The prior application is assigned of record to President and Fellows of Harvard College.
13. ☐ A _____ month extension of time has been submitted in the parent application Serial No. _____ in order to establish copendency with the present application.
14. ☐ Also enclosed is/are _____.
15. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.
a. ☒ The power appears in the original papers in the prior application.
b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. ☐ A new power has been executed and is attached.
16. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Giulio A. DeConti, Jr. at **Customer Number: 000959** whose address is:

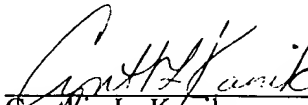
Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109
17. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18. ☒ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. 09/086,010. Please use the computer readable form of application serial no. 09/086,010 in filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. 09/086,010 are the same.

June 22, 2001

Date

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Tel. (617) 227-7400



Cynthia L. Kanik

Reg. No. 37,320

- ☐ inventor(s) ☐ filed under §1.34(a)
☐ assignee of complete interest
☒ attorney or agent of record

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 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,370	06/22/2001	Laurie H. Glimcher	HUI-027CPDV2

 000959
 LAHIVE & COCKFIELD
 28 STATE STREET
 BOSTON, MA 02109

COPY

CONFIRMATION NO. 8885

FORMALITIES LETTER



OC00000006300017

Date Mailed: 07/16/2001

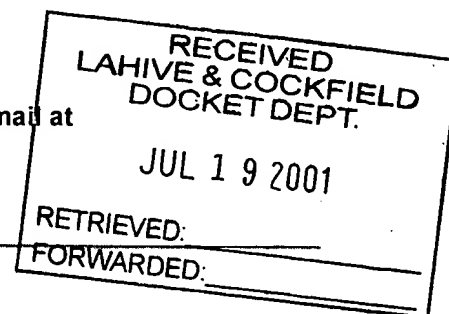
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

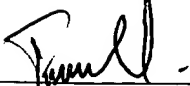
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov



A copy of this notice **MUST** be returned with the reply.



A handwritten signature in black ink, appearing to be 'K. Smith', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

GAU 1632



LAHIVE
&
COCKFIELD
LLP

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* Admitted in NY only
** Passed the Patent Bar Examination.

September 17, 2001

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Box Sequence
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/888,370
Applicants: Laurie H. Glimcher and John Douhan, III
Filed: June 22, 2001
Title: *"Human c-Maf Compositions and Methods of Use Therefor"*
Attorney Docket No.: HUI-027CPDV2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Copy of Divisional Application Transmittal Form; and
3. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
4. Return Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence Parts, Washington, DC 20231 on:

September 17, 2001
Date

Cynthia L. Kanik, Ph.D., Reg. No. 37,320

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Cynthia L. Kanik, Ph.D.
Reg. No. 37,320

CLK/dxg
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 25 2001

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In re the application of: *Laurie H. Glimcher and
John Douhan III*

Group Art Unit: 1632

Examiner:

Serial No.: 09/888,370

Filed: June 22, 2001

For : *Human c-Maf Compositions and Methods of Use
Therefor*

Attorney Docket No.: HUI-027CPDV2

Commissioner for Patents
Box Sequence
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, Washington, D.C. 20231 on the date set forth below.

September 13, 2001
Date of Signature and of Mail Deposit

By: Cynthia L. Kanik
Cynthia L. Kanik, Ph.D.
Reg. No. 37,320
Attorney for Applicant

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

Dear Sir:

This is in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on July 7, 2001. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures is enclosed.

Applicant respectfully submits that Items 18 of the "Divisional/Continuation Application Transmittal Form Under Rule 1.53(b)," filed on June 22, 2001, contains the statement regarding the content of the sequence listing required by 37 CFR 1.821(e) and 1.821(f) (copy enclosed). Accordingly, the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, is improper and should be withdrawn. No new matter has been added.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Cynthia L. Kanik, Ph.D
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Attorney for Applicants

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Date: September 17, 2001